

PUEBLO OF LAGUNA COUNCIL

Resolution No. 27-14

Re: Enactment of the Law Enforcement Animals Law as a part of the Pueblo of Laguna Criminal Code

At a duly called meeting of the Pueblo of Laguna Council held on the 4th day of April, 2014, the following resolution was adopted:

WHEREAS, the Pueblo of Laguna ("Pueblo") is a federally recognized Indian Tribe with all the inherent sovereign governing powers; and

WHEREAS, according to Title IV, Section 2(e) the Pueblo of Laguna Council is the governing body of the Pueblo, with the authority "to establish and enforce ordinances governing the conduct and civil relations of residents of the Pueblo and providing for the maintenance of law and order and the administration of justice within the lands of the Pueblo; and

WHEREAS, according to Title IV, Section 2(k) the Pueblo of Laguna Council is the governing body of the Pueblo, with the authority to promote the public health and welfare; and

WHEREAS, on September 14, 2013, the Pueblo of Laguna approved an agreement between the Pueblo and the United States Drug Enforcement Administration for the Laguna Law Enforcement to participate in the DEA High Intensity Drug Trafficking Area (HIDTA) Task Force, per Resolution 66-13; and

WHEREAS, the Public Safety Department seeks use Law Enforcement Animals (k-9s) as part of the DEA HIDTA Task Force and as specifically requested for use within the Pueblo of Laguna, but not for the detection or apprehension of suspects; and

WHEREAS, it is in the best interest of the Pueblo of Laguna to create a law to govern the acquisition, care and protection of the k-9s working on behalf of the Pueblo;

NOW, THEREFORE, BE IT RESOLVED that:

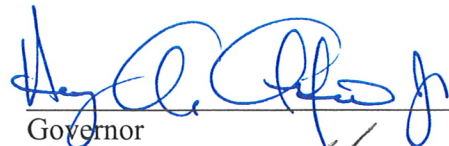
- A. The Pueblo of Laguna is hereby authorized and empowered to acquire and keep on hand, for the purposes of public safety and law enforcement, any breed of dogs suitable for law enforcement and public safety purposes. The Pueblo, if and when such animals have been acquired, shall allow for a reasonable amount of daily care, facilities, and maintenance of said animals from any funds available to the Pueblo.

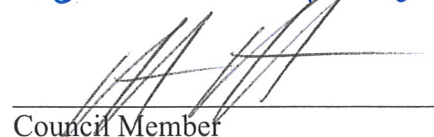
- B. In this section, the term, "law enforcement" animal means a dog employed by the Pueblo of Laguna for the principal purpose of aiding in the detection of criminal activity, enforcement of laws, apprehension of criminal offenders, tracking, rescue, or other public safety purposes.
- C. The Pueblo of Laguna Public Safety Director is hereby authorized to promulgate procedures and guidelines for the management, training, certification and deployment of the Pueblo of Laguna law enforcement animals. All procedures, rules and regulations pertaining to law enforcement shall apply to animal handlers.

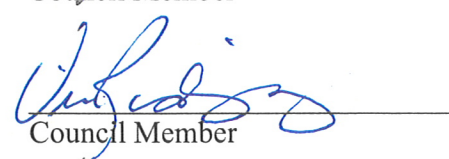
BE IT ORDAINED AND ENACTED BY THE COUNCIL OF THE PUEBLO OF LAGUNA that the Pueblo of Laguna Criminal Code, Section 15, Chapter 16, Animals and Livestock, shall be amended to include the Law Enforcement Animal code, to be cited as Section 15-16-5, Law Enforcement Animals, and shall state the following:

- A. In this section, the term, "law enforcement" animal means a dog employed by the Pueblo of Laguna for the principal purpose of aiding in the detection of criminal activity, enforcement of laws, tracking, rescue, or other public safety purposes.
- B. Whoever willfully and maliciously harms any law enforcement animal, or attempts or conspires to do so, shall be fined no less than \$500.00, and/or a jail term not to exceed one hundred eighty (180) days.
- C. If the offense permanently disables or disfigures the animal, or causes serious bodily injury to or the death of the animal, the fine shall be no less than \$1500.00, and/or the maximum term of imprisonment shall not to exceed one year or the maximum term allowed by law.
- D. In addition to fines, any person found guilty of harming a law enforcement animal shall be ordered to pay restitution to the Pueblo of Laguna Public Safety Department in amounts to be determined by the Pueblo Court.

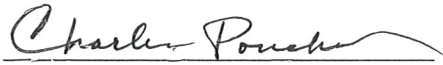
BE IT FURTHER RESOLVED that the date of this Resolution shall be the effective date of the Pueblo of Laguna Law Enforcement Animals Amendments to the Criminal Code, Section 15, Chapter 16, Animals and Livestock.


Governor


Council Member


Council Member

ATTEST:

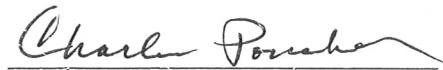

Pueblo Secretary

CERTIFICATION

The foregoing resolution was enacted upon by the Pueblo of Laguna Council on the 4th day of April, 2014, by a vote of 17 for and 0 opposed, at a duly called meeting at which a quorum of the Council was present.


Governor

ATTEST:


Pueblo Secretary